

Honorable Dennis M. Cavanaugh, U.S.D.J.
Re: United States v. Rey Armando Aponte
Criminal No.08-802
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AT 8:30 _____ M
WILLIAM T. WALSH, CLERK

May 5th, 2011

Honorable Dennis M. Cavanaugh, U.S.D.J.
United States District Court, District of New Jersey
Martin Luther King Jr. Federal Building and Courthouse
50 Walnut Street
Newark, New Jersey 07102

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AUG 10 2011

DENNIS M. CAVANAUGH
U.S. DISTRICT JUDGE

Re: United States v. Rey Armando Aponte
Criminal No.08-802

UNOPPOSED MOTION TO TERMINATE PROBATION

Dear Judge Cavanaugh:

My name is Rey Armando Aponte and I have been sentenced before your honor on March 31st, 2010 to a (3) year probation term. I have been progressing well since and have been fulfilling my probation conditions and terms accordingly. With my post collegiate work experience and the help of my colleagues, peers, and family members, I've managed to maintain a career job in my accounting profession as a senior accountant and compliance officer at a highly reputable construction management firm in New Jersey. With the supervisory services of the US Probation Department, I have also established to maintain all conditions and terms of my probation sentence, while at the same time not jeopardizing my employment due to the confidentiality of my felony conviction.

Presently, as I progress on my 14th month of my 36 month probation term, I wish to respectfully request that your Honor and this Honorable Court terminate my probation early pursuant to Rule 32.1(b) of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3564(c). In support of this Motion, I state the following:

The statute governing early termination of probation, 18 U.S.C. § 3564(c), provides that "the court may terminate a term of probation previously ordered, if it is satisfied that such action is warranted by the conduct of the defendant in the interest of justice.

(c) Early Termination.— The court, after considering the factors set forth in section 3553 (a) to the extent that they are applicable, may, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, terminate a term of probation previously ordered and discharge the defendant at any time in the case of a misdemeanor or an infraction or at any time after the expiration of one year of probation in the case of a felony, if it is satisfied that such action is warranted by the conduct of the defendant and the interest of justice."

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I have proven that I meet the criterion based on good conduct for early termination of my probation under 18 U.S.C. § 3564(c).

My US Probation Officer, Andrea Shumsky, is in agreement that I have been fulfilling all the conditions and terms of my probation sentence.

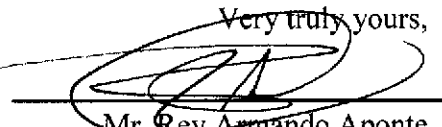
My Probation Officer does not oppose an early termination of my probation.

I feel early termination of my probation will play a major role and a beneficial factor in my career advancement in becoming a Certified Public Accountant (CPA) and my aspirations of attending law school, for which my employer has committed into reimbursing my tuition for.

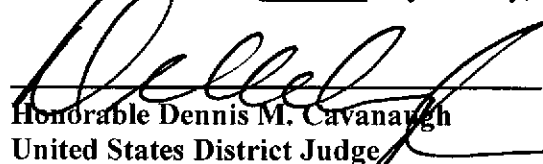
Early termination of my probation will reduce the risks of my employer's questioning of periodic unannounced visits to my job by US Probation, as for they are not aware of my felony conviction.

Early termination of my probation will increase the possibilities of helping me keep my job I've held for sine June of 2008.

If this request meets with Your Honor's approval, I have set forth a "So-Ordered" signature line to this letter for your convenience. Thank you for your attention to this matter.

Very truly yours,

Mr. Rey Armando Aponte

So Ordered on this _____ day of May, 2011.


Honorable Dennis M. Cavanaugh
United States District Judge

Cc: Eric T. Kanefsky, Esq. A.U.S.A. (US MAIL, Email, Fed Ex)
Andrea P. Shumsky, US Probation Officer (US MAIL, Email, Fed Ex)

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